



*State and Consumer Services Agency – Arnold Schwarzenegger, Governor*

**BOARD OF BARBERING AND COSMETOLOGY**

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## **MEETING OF THE BOARD OF BARBERING AND COSMETOLOGY**

**MINUTES OF JUNE 30, 2009**

**Department of Consumer Affairs  
2005 Evergreen Street  
Sacramento, CA 95815**

### **BOARD MEMBERS PRESENT**

**Jerry Tyler, President  
Richard Hedges, Vice President  
Deedee Crossett  
Frank Lloyd  
Ken Williams**

### **STAFF MEMBERS PRESENT**

**Kristy Underwood, Executive Officer  
Gary Duke, Staff Counsel  
Richard Loa, Staff Counsel  
Theresa Rister, Admin. Analyst**

#### **1. Agenda Item #1, CALL TO ORDER/ROLL CALL**

Mr. Tyler called the meeting to order at 10:00 a.m. The board members and staff members present introduced themselves. Mr. Duke introduced the Board's new legal staff counsel, Richard Loa. During the transition both staff counsel's will attend our Board meetings.

#### **2. Agenda Item, #2, President's Reports**

Mr. Tyler continues to write monthly articles called Blue Highways for the California Stylist newspaper. He has visited schools, academies and community colleges for educational training. He will be attending the CEA Convention in Las Vegas. Our Board has done some tremendous outreach and indicates that technology is driving our industry forward.

Ms. Crossett has held a couple of complimentary events at her school, where salon and spa owners were invited to attend. The top 10 violations were discussed, along with how to properly mix quats and how to properly label containers. She will hold the same event in the fall.

Mr. Williams attended the SIBE hair show and was very excited over the turnout with the student completion. He encourages the industry to stay aware and reach out to the

internet for educational training. He also indicated that he has noticed a lot of barber-cosmetology crossover courses being requested.

Mr. Hedge's and Ms. Underwood has attended some outreach events together, he has been working with prevention with the nail industry, UFCW Local 5 and the Asian Law Caucus.

### **3. Agenda Item #3, Executive Officer's Report**

Ms. Underwood reported that approximately 5,650 notices are currently being sent out to our licensees who have outstanding fines owed to the Board. She believes at least over a million dollars is owed to the Board in outstanding fines.

Ms. Underwood reported that a list has been developed of establishments that have never been inspected. The list has been provided to each inspector to begin inspections of these establishments.

Laws and regulations have been translated to Vietnamese and Spanish, once the new budget has been passed, we will be able to start reproduction. Within 30 days the translated versions should be online.

We are currently working with the Department of Corrections on examinations in the prison. No exams have been scheduled at this time due to the budget. Since we started the program with holding the exams in the prison, we have successfully licensed 10 individuals.

Ms. Underwood indicated that we are currently working on "How to Videos" that will be added to our website and made available to the schools. Federico's Beauty Institute was kind enough to allow us to tape inside the school, use their footspas and students. DCA is also working with us to complete the project.

Ms. Underwood addressed the schools pass and fail rate that was previously posted on our website, stated currently "under construction". We have a new program that has collected all the data and we're putting it into a format so that and it can be added to our website. The results will be updated quarterly, but posted for a year. It should be up and running by August 1, 2009.

We have generated a customer satisfaction survey that will be used for inspections. A postcard will be left with either the licensee in charge or the establishment owner upon completion of their inspection. Some of the questions asked will be how their inspection was conducted, if the violations were explained and educated on how to correct, if they were present during the inspection, and if it was a professional inspection. We actually did something similar like this several years ago.

**4. Agenda Item, #4, Approval of Board Meeting Minutes**

- **February 15, 2009 – Board Meeting:** Ms. Underwood suggested to the Board to allow staff to post the Board meeting minutes in draft form. Public has requested copies, since the minutes are not finalized until the next board meeting we are unable to accommodate. It was agreed to post the minutes in draft form, once finalized we will post a final version. Upon a motion by Mr. Hedges, seconded by Mr. Lloyd, the minutes were approved by a 5-0 roll call vote.

**5. Agenda Item #5, Delegation of Authority to Executive Officer**

Mr. Duke reported currently we have no existing authority for the Executive Officer and since we have been newly constituted as a Board he recommends that we approve this item. He stated particularly with enforcement issues such as filling a Statement of Issues or an Accusation and most boards have either a specific delegation of authority in their regulation. Mr. Duke passed out a form that included standard language that is used in other boards. He reviewed the document with the Board and also suggested the Board should proceed with the DCA to obtain regulation for the future. Mr. Hedges was not happy that he received this document on short notice and requested more time to review the material in the future. Upon a motion by Mr. Hedges, seconded by Mr. Lloyd it was agreed to approve the regulatory language and give the authority to Ms. Underwood to prepare the regulatory language by a 5-0 roll call vote

**6. Agenda Item #6, Review Board Statistics**

Ms. Underwood reviewed the board statistics.

- **Licensing and Examination Program:** Charts were presented outlining the statistics for the 2008/2009 fiscal year. Mr. Tyler was very pleased with the charts. Ms. Crossett asked if the average for school pass/fail rates could be added to the website. Ms. Underwood indicated she would like to start posting the entire agenda packet on line including all of the agenda items for that particular meeting and this would include the average pass/fail rate, quarterly.
- **Disciplinary Review Program:** Mr. Lloyd stated DRC has just heard over 250 written testimony cases. He believes that the cases for the southern area are getting behind, due to the budget and not being able to travel.
- **Enforcement Program:** Ms. Underwood reviewed the enforcement stats. There was no discussion.

**7. Agenda Item #7, Budget Update**

Ms. Underwood discussed the current budget and stated we are stable at this time. She also indicated that an Executive Order that was just recently issued has halted all of our spending and any contracts. This has created is a huge impact in our office, if we run out of supplies we will need to borrow supplies from other boards. Mr. Hedges believes

staff has done a great job with our reserve and our budget. Mr. Lloyd questioned the actual numbers spent or projected? Ms. Underwood stated the numbers are projected and she is very confident of what we currently have. Mr. Williams asked if we are currently under the Governor's order of taking the furlough days? Ms. Underwood stated yes, and believes another additional furlough day plus a 5% pay cut is coming.

## **8. Agenda Item #8, Proposed Legislation for Discussion and Position**

Ms. Underwood provided background on the proposed legislation:

- **AB48 Creation of BPPVE**

The bill establishes a new bureau and it does not re-establish the instructor's certificate, it does not provide our board with any additional authority over schools, it just recreates the bureau. Mr. Tyler indicated that we have been working very hard on gaining back control with the schools. Mr. Hedges and Mr. Williams are both in opposition unless amended. Ms. Crossett has concerns with student protection, how school files are maintained and with school loans.

### Public Comment

Fred Jones, PBFC, stated he has been working close with the author of this bill and states it is now at the Senate B & P Committee staff. He indicates that there are other agencies, DCA Boards and Bureaus that are having the same problem with BPPVE and the B & P staff will be setting an interim hearing in September or October to discuss further. He stated that his past history in working with different schools and their owners, and since the Board controls the curriculum, standards for teachers and ultimately the licensing exam, it would make sense that we have total oversight of schools. We can separate exemption on the NACCAS authority at a later time. He suggested oppose unless amended.

Mr. Hedges stated to Mr. Jones, since he has been on DRC, there have been numerous times where the appellant has stated they bought their license. Mr. Jones stated with two agencies looking over schools, the BPPVE does not care about a proof of training document, they are more concerned with contracts, however, the Board is concerned with a proof of training document. The Board could also request a proof of enrollment document as well. Mr. Jones believes with sole oversight of schools, selling of hours would be prevented.

Ms. Crossett has concerns if we are unable to get the authority, she refers to page 2. of the bill, and states if you are an accredited school or approved by the Department of Education it should be included in the language as well.

Ms. Underwood made it very clear to the Board, we need to have specific authority over schools, we do not want to be exempted. Mr. Hedges made a motion to not support unless amended. Ms. Underwood suggested to oppose unless amended to have full oversight, we can include a brief explanation.

Upon a motion by Mr. Hedges, seconded by Mr. Williams it was agreed to oppose unless amended with the ability to have total oversight of schools, by a 5-0 roll call vote.

- **SB549 Cultural Background Requirement**

Ms. Underwood stated this was introduced by Senator Correa, it requires licensees and applicants to report their language preference, gender and ethnicity. It would be asked on applications and renewal notices. We would input the information into a database and generate reports. There is a fiscal impact of \$75,000.00 to start up, and \$5,000.00 on going. She indicated two other boards have already implemented and we would piggyback on their program. She further reports this bill is sponsored by the Asian Law Caucus, who have been involved with other research programs. Mr. Hedges asked if this would be a requirement to answer? Ms. Underwood stated, there would be a box that the applicant/licensee would need to check, if they failed to indicate the information, our automated system would send a letter out automatically. Mr. Duke clarified, for an establishment application only, the language changed from shall to may and not indicating the information, would simple make the application incomplete. Mr. Hedges is very reluctant in agreeing with this, he believes it will hold up the applicant/licensee, particularly with DRC and asked if this could be an option? Kristy reminded the Board that we can take a position to support if amended. All members were in agreement. Upon a motion by Mr. Hedges and seconded by Mr. Lloyd it was agreed to support if amended to substitute the word may for shall, by a 5-0 roll call vote.

- **SB638 638 Elimination of Joint Committee on Sunset Review**

This Bill would eliminate the Joint Sunset Review Committee and puts that process with the Business and Professions Committee. Ms. Underwood recommended the Board to take a watch position. Upon a motion by Mr. Hedges and seconded by Mr. Williams it was agreed that the Board of Barbering and Cosmetology would take a watch position on SB 638, by a 5-0 roll call vote.

At this point, the meeting adjourned for a ten minute break.

## **9. Agenda Item #9, Proposed Regulations Update**

- **Approval of Schools**

A public hearing is scheduled for July 7, 2009 in Sacramento CA. We will take public comment on the regulations verbally or in writing, once we have the public hearing we will start the final rule making file. Ms. Crossett asked if the Board Members could attend the public hearing? Mr. Duke stated anyone can attend, it's a public hearing. Mr. Hedges asked if this would help us getting control of our schools, Ms. Underwood stated, we will get more authority then what we have now. Ms. Underwood further stated the Board previously approved language on approving schools and the language can be found on the Boards website.

- **Curriculum**

Ms. Underwood stated staff is currently finishing up the review. There was no further discussion.

**10. Agenda Item #10, National Exam Update**

- **Update on Written Exam Statistics**

Ms. Underwood reviewed the written exam stats, noting that it is expected to have a lower pass rate with any new exam and we will continue to monitor stats.

- **Status on Practical Audit**

Ms. Underwood reported a workshop was just held over the weekend, experts from the industry were invited and they actually worked with the Office of Exam Resources to review the national practical exam. The final report should be complete by the end of August. Ms. Crossett asked if this was something that was updated annually. Kristy believed that it was.

Public Comment

Dana Panco, Test Developer for the National Interstate Council (NIC) , She stated every 3-5 years the practical job analysis or task analysis is done to define the role of the practioner and to identify knowledge, skills and abilities. Then they identify which of those can be observed in a performance examination. These are set in place until a new job analysis study is done or new technology or change in regulation. On the theory side she indicated they have an item bank that gets changed over ever year.

Paul Stieger, Rent a Kit, commented on the practical exam and found that there were disinfection procedures found within the NIC exam. He believes these are fundamentals that need to be included and hopes the Board will include.

Fred Jones, PBFC, overall he believes the current test is very old and outdated. The positive with NIC is having an updated exam, more industry aligned, and more relevant. The negative is schools will need to re-train their instructors and start teaching to the standards.

Tommy Banh, comments that some Vietnamese students do not have a computer, or they don't know how to work on one or even look up a website. He indicated with no computer knowledge they will fail the exam. He requested that samples be available on the website.

Mr. Tyler stated we are unable to do something like this on a regular basis. As new technologies are brought on, it will allow us to test on current subjects. The National Interstate Council examines in 40 states and 11 countries. He is looking forward to working with the NIC and believes we are working in the right direction. Ms. Underwood clarified to the Board that we are only auditing the exam right now. We should have the final report by the next board meeting. Ms. Crossett stated this will hold schools more accountable for teaching their students correctly and not just to pass the exam. Mr. Hedges supports the NIC, however he has concerns with the current fail rate and wants to see an improvement. He believes if we have control over schools we could help the failing schools gain knowledge with passing their students.

**11. Agenda Item #11, Industry/Consumer Outreach Update**

Ms. Underwood reviewed the events that board staff has attended and those that she hoped to attend, considering the budget. She mentioned in May, Rich and her attended Skyline Beauty College and met and spoke with some of the students. She also attended an event with staff, in Garden Grove, at the Advanced Beauty College along with Senator Correa, and some establishment owners. She discussed the top 10 violations and board functions. Mr. Williams indicated he would like us to attend the SIBE show which will held in February 2010.

**12. Agenda Item #12, Discussion on Examination Expenditures**

Ms. Crossett requested this item to discuss. She would like students to be able to take their exams in school. She believes this would be a cost saving factor with the exam sites and it would prevent less stress with the applicant. The examiner would come to the school and test. Mr. Tyler stated this discussion has been brought up in the past with back logs, he also had concerns with travel expenses. Mr. Hedges would not be in favor until we had full control oversight with schools and also with the integrity of the exam. Both Mr. Hedges and Mr. Tyler suggested too table this item until later.

**13. Agenda Item #13, Discussion on Written Exam prior to Graduation.**

Mr. Williams requested this item to discuss. He asked the audience if they're a licensee or future licensee? He believes this is a creative field and if the Board does not think creatively then he doesn't feel there providing a good service. He went on to ask the audience, if we were to elevate some stress by taking the written at 1200 or 1400 hours? He states, as long as the environment is controlled he doesn't foresee any problems. Ms. Crossett stated, with cosmetology you should be able to get through your theory hours and take the exam at 1200, the esthetician at 400 hours, she would look into the other licensing categories. She believes by taking your exam like it is now, once you fail your already out of school, it's hard to come back to the school then go back and find out what you failed in. Mr. Hedges was in favor of the idea. He also stated we would need to include the apprenticeship program. The first test would be a trial run, if successfully passed it would not be counted. Mr. Hedges asked for public comment and reminded the audience this is just discussion only and would require statutory change. Ms. Underwood gave a staff prospective overview and stated, there would be double work by scheduling two exams, one to our vendor and one for the practical, the applicants would need to be approved and results sent to PSI would need to be sent electronically. Ms. Crossett suggested once they pre-apply at 1200 hours they can take the written.

Public Comment

Fred Jones of PBFC commented his organization did support when there was a back log, and still thinks it's a good idea. Priority for this board is consumer protection and believes there are other legislative priorities that should be pursued first. He suggested to the Board to prioritize existing issues such as booth renters and responsibilities of an establishment owner first.

James Knauss, California Barber Association, he agreed with Mr. Jones and believes there are more important items that need to be addressed at this time, and hoped the Board does not include the barber exam with this new idea. He also stated the cosmetology exam should go to aggregate scoring like the barber exam.

Sarah Lawrence Turner, salon owner, she has been in the beauty industry for over 40 years and has seen a lot of change in the industry. She believes the pre-exam should be done at the schools, since that is the foundation.

Ami Mankey, Skyline Community College, she believes the integrity of the exam would be lost if given at schools. There are two sites that administer the examination, everyone is tested at the same level and same standards are across the board.

Lois Arsmith, industry, also agrees the previous comment. Schools just teach to pass state board only.

#### **14. Agenda Item #14, Mock Testing/Schooling for Instructors.**

Ms. Crossett requested this item to discuss. She believes a student is a consumer as soon as they walk through the door, as well as the client. She would like a course for beauty school instructors to take a class as refreshers course or go through a mock examination to get some retraining. Ms. Underwood noted this could possibly be an examination security issue. She suggested maybe we could do something like our open house events, however it would need to be done on the weekend, overtime plus a lot of work would need to be considered.

##### Public Comment

Josie Glen, Skyline Community College, states Skyline has an instructor training course and uses the board's old instructor curriculum. She suggested the Board send individuals that are interested in the instructors course to Skyline.

Ms. Crossett asked if Ms. Glenn would be interested in participating in a school forum. Ms. Glenn stated she was very much interested.

Millie Biglen, Paris Beauty College, has concerns with the teaching ability. She started a teacher training course about a month ago, she currently has ten students and a waiting list. These are students who now want to be an instructor or individuals that have been out of the work force, have seen what is coming out of the schools and want to be an educator. She believes if we helped them to teach correctly, it would help out the schools too.

Jaime Schragebeck, salon owner, she would like to see a video tour taken of the open houses that are done and put on the web. It would give the general idea of what the facility looks like and what the interactions with the exam staff would be.

Paul Steiger, Rent a Kit, he believes it would be a good idea to have another open house. He believes if instructors have the opportunity to come in and get an idea of how things are set to prevent the unknown.



Mr. Tyler mentioned that Ms. Underwood will take a look at these ideas, and he is also in favor of the idea of the video filming.

**15. Agenda Item #15, Discussion on Powers and Duties of the Board**

Mr. Williams asked for this item for discussion. He asked for clarification on what powers that Board has whether it's in school supervision or enforcement. He would like to come back in a year from now and see some of the agenda items completed. He stated part of his background included owning a school in another state, and they had in place a grading system for the schools. He would like to bring that to California. Mr. Hedges indicated legislation, regulations and budgets would need to be factored in to this idea. Mr. Williams stated he took a look at 7312 and believes the Board can put forth anything and everything that would benefit the consumers of California. However, there are limitations on board terms that may impact these opportunities. He believes that legislators and consumers would look at us as a strong Board and consumer friendly. Mr. Hedges comments on a report that was done on barriers to employment, and believes we have stiff penalties on individuals with past felonies and would like to see that relieved. Mr. Williams further stated if we don't do something now, other entities will take over. We have a strong voice and we need to be heard, this is a field where you have an opportunity for a second chance at making something. Mr. Hedges asked our legal office to put something together that defines what our powers are. Mr. Duke stated the Legal office can put a memo together with Board's authority. Mr. Duke commented that the Board's authority is created by statute, and comparing California to other states, we are larger, more sophisticated with law and litigation. Smaller states don't have and challenges and they exert their powers. This Board can contact legislatures and advocate a particular position or a change in the law. Mr. Williams stated after reading 7312 and 7315 the legislatures would not use another entity to be over schools, that is why he is asking for the defining of Board powers. Mr. Duke stated at one time the Board did have the authority over schools, however, it was taken away and the laws were changed.

At this point, the meeting adjourned for a twenty minute break.

**Upon returning back from break the Board agreed to hear agenda item number 22.**

**17. Agenda Item #22, Presentation from the Electrologists Association of California**

Patsy Kirby from the Electrologists Association of California provided a presentation to the Board.

**Upon a motion by Mr. Hedges and seconded by Mr. Lloyd it was agreed that the Board would table agenda items No. 16, 17, and 18 until the next board meeting, by a 5-0 roll call vote.**

**18. Agenda Item #19, Consideration of School Approvals Prior to Approval of Proposed Regulations.**

Ms. Underwood provided packets to the members for review. Approving schools in California, without any regulations being passed, no existence of BPPVE or the voluntary agreement that once existed. Ms. Underwood brought to the Board's attention, three new schools approved and five pending applications are waiting to be approved. Mr. Williams asked for the criteria that we used for the three schools that were approved. Ms. Underwood stated, those schools were actually approved when the board had temporary approval with the voluntary agreement. The pending items that we need to look at would be space, minimum equipment, and conduct of an inspection. Mr. Williams asked if all five have been inspected, Ms. Underwood stated not all five have been. Ms. Crossett had concerns with no authority, financial stability, contracts, course catalog, layout and planner, etc. Ms. Underwood clarified when we approved the schools under the voluntary agreement, we asked the schools to complete paperwork that would have been required by BPPVE. Mr. Hedges asked if we could make a statement available on the web stating the Board has no authority at this time to approve any school. Mr. Duke stated that could be done. Ms. Crossett believes students would have no idea where to go when seeking a school to attend. Mr. Tyler believes with very minimal standards, we should not be approving at this time. Mr. Lloyd questioned how many application requests have been mailed out and if the Board has received any complaints. Ms. Underwood stated the department is currently taking complaints under BPPVE, therefore, the Board would not know how many complaints have been received. Mr. Duke believes the issues the Board currently has is directing staff, he also mentioned that the Board currently has proposed regulations that may or may not pass with the Office of Administrative Law. The Board does have existing authority to approve schools with the "Dead Letter Law" and it is up to the Board to exercise that authority. Mr. Williams made a recommendation to approve as long as guidelines are set. Both Mr. Tyler and Mr. Hedges were adamant of not approving any schools at this time due to the errors that were made with a school that was approved and then went under, there was no student protection. They did not want to have that happen again. Mr. Lloyd questioned if the Board could be liable for not approving. Mr. Duke clarified that the Board could be liable for not approving as well. Upon a motion made by Mr. Hedges, seconded by Ms. Crossett to direct staff to post a statement on the Board's website that would say, BBC has not been given authority to review any financial stability of any new school. Ms. Underwood commented and stated the Board does not have the authority on any school. Mr. Hedges corrected his motion, seconded by Mr. Williams to reflect, BBC has not been given authority to review any financial stability of any school, all in favor by a 5-0 vote.

Public Comment

Fred Jones, PBFC, clarified that the motion does not include existing schools.

Nadene Bruders, is concerned that students are not aware of the Board's website. She believes that the instructors should be telling students that the schools are under a government agency.

Members of the Board discussed approving schools with pending proposed legislation and regulations, Mr. Tyler commented that the Board does not want to risk approving any schools until the regulations have been adopted. Mr. Hedges asked if we delay the approving process, would it affect the legislatures in giving the authority the Board is seeking. Upon a motion made by Mr. Tyler, seconded by Mr. Williams not to approve any schools until regulations or legislation have been put in place, by a 2-3 (Hedges, Williams and Lloyd) the motion did not pass.

#### Public Comment

Sherlene Thomas, salon/school owner, comments that she is very frustrated with the process. Her school has been opened since June 2008, she is stuck in limbo due to the closure of BPPVE and BBC not approving. She has invested money into her school, purchased equipment, had her inspection, has the 25 enrolled students and continues to have to wait.

Tommy Banh, school owner, commented that he also is very frustrated with the approval process, has sent money to BPPVE in January 2008 to start the application process and is currently waiting to be approved by the Board.

Junior Williams, school owner, comments that he is trying to get a barber school right now. He has numerous individuals, who were previously institutionalized and would want to work for him but they are unlicensed. If he were able to open his barber school and get them licensed, he sees this as a plus in the community and asked the Board for a chance. Mr. Hedges asked that he work with the Board regarding the violations the parolees have been convicted of.

Mr. Duke stated at the last Board meeting held February 15, 2009, commented that the Board approved those minutes earlier today and there were three pending applications. The Board agreed to approve all pending that met current legal requirements. He believes there is no reason not approve the two pending applications under the existing regulations. However the Board needs to come up with policy for pending or new applications received. Ms. Underwood clarified the two school owners (Ms. Thomas and Mr. Williams) speaking had sent in their application prior to the end of the 2008 year, which fell under the temporary license. Mr. Banh is a separate issue.

Fred Jones, PBFC, states he is in favor of Mr. Tyler original motion. He comments on the potential 45 – 50 applications that were mailed out. If the Board gets in to approving schools, it would be the door opener of Title 4 eligibility. He is concerned that numerous individuals will be looking to getting approved by this title, which are loans from the government and can potentially take money from the students. Students will be looking at the board approving the schools, so the board needs to be very cautious.

Mr. Williams believes under Section 7315 gives the Board authority to approve schools.

**19. Agenda Item #20, Establishment of Violation Review Committee.**

Ms. Underwood stated she would like to get the Boards approval to establish a working group of two board members that would work with staff and review all violations for consistency. She would then bring back to the full board with clarifications for recommendations. Both Mr. Hedges and Mr. Lloyd volunteered. Upon a motion by Mr. Hedges, seconded by Mr. Tyler it's up to discretion of the president to form the committee, all in favor by a 5-0 vote.

**20. Agenda Item #21, Discussion and Establishment of Policy on Foot Smoothers.**

Ms. Underwood reviewed the statute stating no metal instruments can be used in pedicuring or manicuring. Regulations were written to clarify the statute. She believes the smoother is to smooth calluses and not to remove. She also presented a rasp to the Board to clarify that it also has a handle, and that does not make it legal to use. We currently cite \$500.00 for a smoother because it is metal. Both Mr. Lloyd and Mr. Hedges are concerned and would like a clear definition of what a smoother is. Ms. Underwood states that the law specifically states a razor edge tool or needle cannot be used. Upon a motion by Mr. Hedges, seconded Ms. Underwood clarified to the Board this is just for policy issues. Mr. Duke stated, in the future we could establish regulations to include a smoother. The Board relied on Ms. Underwood's input. Mr. Hedges made a motion, seconded by Mr. Lloyd to reflect a razor edged tool cannot be used to remove calluses, all in favor by a 5-0 vote.

Public Comment

Jaime Schraback, Precision Nails, agrees with Ms. Underwood that the law states razor edged tool. She would like to see something posted on the Boards website and in simple common language. She also would like to request to include lava rocks and pumice stone, one time use only.

*Agenda Item #19 requested to be reopened for discussion by Mr. Williams. Mr. Williams changed his vote to YES, not to approve any additional schools, except for the two that were approved today. Mr. Hedges asked if he was lobbied by anyone to change his vote. Mr. Williams stated he was confused with all of the different discussions. Mr. Duke stated a vote needed to be made for reconsideration. Upon a motion by Mr. Hedges, seconded by Mr. Williams to reconsider the item for discussion. A motion was made by Mr. Tyler, seconded by Mr. Williams, not to approve any schools until legislation or regulations have been passed and implemented, by a 3-2 (Hedges and Lloyd) vote. The motion passed.*

**21. Agenda Item #24, Agenda Items for Next Board Meeting**

- Discussion on Remedial Education for Licensees
- Discussion on Establishment Owner Qualifications

**CLOSED SESSION**

**22. Agenda Item #25, Discuss Enforcement Case**

**23. Agenda Item #26, Adjournment**

With no further business, the meeting was adjourned.